

PRESERVED

App. F. IX-4

Previous References

1936
(Ch)

File No. 81-36

Serial Nos. 3 -

Letter References.

do 86-36-24
" 81-37-9
c/b 141-40 (142)

✓

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 2

Part B for April 1937

SUBJECT.

Addition of a note to Criminal Rule of
Practice re payment of costs to
attending counsel.

Group 6077-99 22-4-37

Wm Reg Hch
Dunlop
Cough

WD 0418-GPB-22,500-29-8-86

Sanctioned

W. J. M. J. M.
4/5/37

Batter to witness

General and Revenue
Secretarian

26 File No.

81 of 1936.

[App. F. III-2]

Serial
No.

3.

no 625 of 30/1, from the
Hq. It recommending that uniform
also was paid road mileage
and now ^{he} paid daily extra for the
day of the journey

1) A witness attending in
Sessons Court is some paid
(if he has travelled by road)
mileage & daily allowance
The mileage paid mile in
some cases be enough
to cover the expenses of
the day. Usually the witness
will have to be in Court
for some day to 2
and be able to return only
in the evening. He remains
before noon & spends the
whole day in the court
He will naturally be
entitled to the & a
order for the mileage
paid may be sufficient
enough to cover the expense
of the day a minimum

File No.

of 193

Serial
No.

is to be paid above which
the mileage rates will be paid
the least cost proposes a
minimum of 5 miles. I don't
think perhaps too small considering
the ^{cost of} the class tickets.

2) It may perhaps be
provided that only mileage
rates should be payable
for the day of the journey
subject to the minimum
of 5 miles.

3) For most places there will
be no connection & the
question of mileage will
not arise if actual has
been paid & d. a. are paid.

Sales for orders. First
sales may be considered.

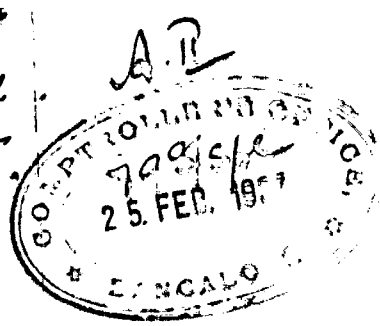
3/2 as to which alternative will be
acceptable from the financial
aspect without being unduly
hard on the witnesses

H secy)

by
3-2

4) Forwarded with compliments to the Comptroller
in favour of remarks.

For H. Secy



1884

25/2/37

129/1

Baba & Widdows³

General and Revenue
Secretariat

File No. 81

of 1936

[App. F. III-2]

71884

Serial
No.

No. 874/spl dated 31-3-37

U.O. No. 498/A.11 dated, Bangalore, the 30th March 37.

5) Returned with Compliments:-

The recommendation of the Registrar, High
Court of Mysore, ^{at A} appears to be quite reasonable and
may perhaps be adopted.

A. N. S. Narayana
Comptroller.

R.R

m.s.
30/3/37

and
20/4/37
may be agreed to

Phase put up draft for
consideration.

m.s.
5/4
10/4
5-4

Sub
Com
19/4
MS

Submitted with a draft

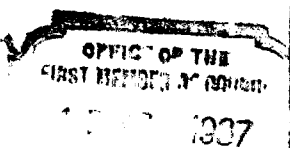
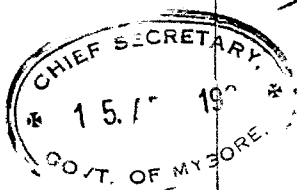
chief Secy.) for approval.

(1st member)

MS
16/4

MS
15/4

MS
15/4



MS
13/3

Don't fail to send.

MS
20/4

WD 0417--GPB-30,000-8-9-36

Issue
MS
20/4

MS
20/4

Serial
No.

3

Rep. High Com
 of Dist
 Comptroller Genl
 of 22-4-37

and sanction to the proposal.

This Com to the addition of a
 to the rules to the effect that a
 is paid not the bare rail fare

charge for his journey to or from
 at T-11 at meter rates provided for his class,

and that he be paid when he is on the train for his class of travel.

58-26-2-13

R. O. C. No. <u>628</u>
<u>36-37</u>

4422/836

HIGH COURT OF MYSORE,
Public Office Buildings, Cubbon Park,
Bangalore, 30th January, 1937.

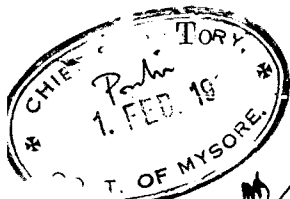
FROM

T. Shamiengar, Esq., B.A., B.L.,
~~A. Sundararaja Rao, Esq., B.A., B.L.~~

~~S. Venkata Ranga Iyengar, Esq., B.A., LL.M.,~~

Registrar, High Court of Mysore.

65-81-36-3



B.T. Kesavaiengar, Esq., B.A.,
Chief Secretary to the Government of Mysore,
B a n g a l o r e.

SIR,

U.D. I am directed to refer to the orders for the payment of travelling allowance and batta to witnesses in Sessions Courts printed at page 167 of Volume I of the Criminal Rules of Practice and Circular Orders, 1934. In order to prevent unnecessary expenditure, the Government, on the recommendation of the High Court, recently ordered the classification of witnesses in a certain way in G.O. No.P.2925-3405/Cts. 81-36-2, dated 2/5-11-1936. Another cause of unnecessary expenditure of batta to such witnesses has recently come to the notice of the High Court. The rules provide a rate of batta for each class of witnesses. But it does not appear to have been the intention of the Government in framing the rules that witnesses, who as provided, get a rate of travelling allowance by road more than sufficient to cover any expense of transit, should also receive batta for the days of their journeys. In some Courts however witnesses, who have travelled to and from the Court by road, have been paid for the days of their journeys, not only travelling allowance at the mileage rates provided, but also batta. For instance a 3rd class witness, who has come 20 miles by road to the Court, is paid 2 annas a mile for his road journey, viz., Rs.2-8-0, though, even if he came by bus, the fare would not be nearly so much, and also 8 annas as batta for the day. The payment of batta in such circumstances is quite unnecessary as the mileage rate leaves an ample margin for food etc. The Judges therefore recommend that the Government should add a note to the rules making it clear that, if a witness is paid, not the bare rail fare or bus charge for his journeys to or from Court, but travelling allowance at the mileage rate provided for

his class, no batta should be paid to him for the day or days of his journeys. It might be added, if the Government think fit, that the minimum mileage allowance paid should be equivalent to ^A the amount of batta fixed for the witness' class or that witnesses who live within 5 miles of the Court-house should receive batta instead of travelling allowance at mileage rates.

I have the honour to be,

Sir,

Your most obedient servant,

J. Shanivargu
Registrar.
mm

SUBJECT

Diary. No. of letter replied to.....

General and Revenue Secretariat

()
the 193 .

Date of issue.....22-4-1937.

Signed by Mr. A. S. R.

May this be—

- (i) printed?
- (ii) treated as a standing order?
- (iii) published in the Gazette,
English Part?
- (iv) translated?
- (v) placed at the disposal of the press?
- (vi) published in the Gazette,
Kannada Part?

Section 85

File No. 81-36,

Serial No. 4,

Proceedings of the Government of
His Highness the Maharaja of Mysore.

Read—

G.O. No P2925-34 / Cts 8-36-2
of 5.11.1936 directing that
the Witnesses attending Sessions
Courts be classified into
four classes in the same
way as Witnesses attending

~~Order thereon.~~ No Civil Courts.

2) Letter No Roc 628/36-37
of 30.1.1937 from the
Registrar High Court
recommending that a
note may be added to
the rules to the effect

that if a witness is paid
not the bare rail fare or
his charge for his journeys
to or from Court but travelling
allowance at the mileage rate
provided for his class no batia
should be paid to him for
the day or days of his journeys
the minimum mileage allowance
paid being equivalent to the
amount of batia fixed for
the witness' class

Order P6077-9

g

The recommendation of the
High Court is sanctioned.

List of Enclosure

ms
15.4.37

Chief Secretary to Govt

Copied by

To
The Rep. High Court
The Dist. Magistrate of Dist
The Comptroller to Govt Stores & Co

Examined by